

## 1 SENATE BILL NO. 26

2 INTRODUCED BY FRANKLIN

3 BY REQUEST OF THE BOARD OF CRIME CONTROL

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE BOARD OF CRIME CONTROL TO AWARD A  
6 GRANT FOR YOUTH DETENTION SERVICES TO AN ELIGIBLE COUNTY IN A CASE OF EXTREME  
7 HARDSHIP; PROVIDING THAT THE GRANT BE IN AN AMOUNT NOT TO EXCEED 75 PERCENT OF THE  
8 ACTUAL COSTS OF SECURE DETENTION; AMENDING SECTION 41-5-1004, MCA; AND PROVIDING AN  
9 EFFECTIVE DATE."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12  
13 **Section 1.** Section 41-5-1004, MCA, is amended to read:

14 **"41-5-1004. Distribution of grants -- limitation of funding -- restrictions on use.** (1) The board shall  
15 award grants on an equitable basis, giving preference to services that will be used on a regional basis.

16 (2) The board shall award grants to eligible counties:

17 (a) in a block grant in an amount not to exceed 50% of the approved, estimated cost of secure  
18 detention; ~~or~~

19 (b) in cases of extreme hardship, in an amount not to exceed 75% of the actual costs of secure  
20 detention; or

21 ~~(b)~~ (c) on a matching basis in an amount not to exceed:

22 (i) 75% of the approved cost of providing holdovers, attendant care, and other alternatives to  
23 secure detention, except for shelter care. Shelter care must be paid as provided by law.

24 (ii) 50% of the approved cost of programs for the transportation of youth to appropriate detention  
25 or shelter care facilities, including regional detention facilities.

26 (3) Grants under 41-5-1002 may not be used to pay for the cost of youth evaluations. The cost  
27 of evaluations must be paid as provided for in 41-5-523."

28  
29 **NEW SECTION. Section 2. Effective date.** [This act] is effective July 1, 1995.

30 -END-

APPROVED BY COMMITTEE  
ON JUDICIARY

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BY REQUEST OF THE BOARD OF CRIME CONTROL

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE BOARD OF CRIME CONTROL TO AWARD A GRANT FOR YOUTH DETENTION SERVICES TO AN ELIGIBLE COUNTY IN A CASE OF EXTREME HARDSHIP; PROVIDING THAT THE GRANT BE IN AN AMOUNT NOT TO EXCEED 75 PERCENT OF THE ACTUAL COSTS OF SECURE DETENTION; AMENDING SECTION 41-5-1004, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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(ii) 50% of the approved cost of programs for the transportation of youth to appropriate detention or shelter care facilities, including regional detention facilities.

(3) BASED ON FUNDING AVAILABLE AFTER THE BOARD HAS FUNDED BLOCK GRANTS UNDER SUBSECTION (2), THE BOARD SHALL, IN CASES OF EXTREME HARDSHIP IN WHICH THE TRANSFER OF YOUTH COURT CASES TO THE ADULT SYSTEM HAS PLACED CONSIDERABLE FINANCIAL STRAIN ON A COUNTY'S RESOURCES, AWARD GRANTS TO ELIGIBLE COUNTIES TO FUND UP TO 75% OF THE ACTUAL COSTS OF SECURE DETENTION OF YOUTH AWAITING TRANSFER. HARDSHIP CASES WILL

1 BE ADDRESSED AT THE END OF THE FISCAL YEAR AND WILL BE AWARDED BY THE BOARD BASED  
2 UPON A CONSIDERATION OF THE APPLICANT COUNTY'S PAST 3 YEARS' EXPENDITURES FOR YOUTH  
3 DETENTION AND UPON CONSIDERATION OF THE PARTICULAR CASE OR CASES THAT CREATED THE  
4 HARDSHIP EXPENDITURE FOR WHICH THE HARDSHIP GRANT IS REQUESTED.

5 ~~(3)~~ (4) Grants under 41-5-1002 may not be used to pay for the cost of youth evaluations. The cost  
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8 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1995.

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